



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, मंगलवार, 31 मई, 2005/10 ज्येष्ठ, 1927

हिमाचल प्रदेश सरकार

HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

NOTIFICATION

Shimla-1, the 19th/23rd May, 2005

No. HHC/Rules/22(25)/83-9792.—Whereas in Column 3 against Serial No. 1 in the table under Rule 5 of Himachal Pradesh Judicial Service Rules, 2004, in clause (b) thereof there is a provision (with respect to method of recruitment of District Judges/Additional District Judges) that 25% of District Judges/Additional District Judges shall be appointed by promotion from amongst Civil Judges (Senior Division) on the basis of merit through a limited competitive examination as may be prescribed and conducted by the High Court in accordance with the Regulations;

Whereas Rule 2 of the aforesaid 2004 Rules, in clause (g) provides that the Regulations have to be framed by the High Court for prescribing the syllabus for the competitive examination and the suitability test to be conducted by the High Court for the cadre of the District Judges/Additional District Judges as well as various other items mentioned therein.

Now, therefore, in exercise of the powers conferred under Rule 2 (1) (g) (i) & (ii) read with Rule 5 of the Himachal Pradesh Judicial Service Rules, 2004, the High Court of Himachal Pradesh is pleased to make the following Regulations prescribing syllabus for

limited competitive examination and allocation of marks for the cadre of Civil Judges (Senior Division) :—

1. *Short Title.*—These Regulations shall be called “The Himachal Pradesh Judicial Service [Promotion from amongst the Civil Judges (Sr. Divn.) to the posts of District/Additional District Judges on the basis of limited Competitive Examination] Regulations, 2005.

2. *Commencement.*—These Regulations shall come into force with immediate effect.

3. *Allocation of Marks.*—The competitive examination for promotion from amongst the Civil Judges (Sr. Division) to the post of District Additional District Judges on the basis of limited competitive examination shall consist of :

(a) Written Examination	..	500 marks
(b) Viva-Voce	..	100 marks
(c) Judgments (Ten judgments, five civil and five criminal to be picked up at random, i. e. ten marks for each of such judgments).	..	100 marks
(d) A. C. Rs. (ACRs. of preceding five Years, i. e. 10 marks for each year's ACR).	..	50 marks

Total ..	<u>750 marks</u>
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4. *Subjects and Syllabus.*—The subjects and syllabus for the written examination shall be as follows :—

Paper I :

Civil Law including local laws of Himachal Pradesh :

- (a) The Code of Civil Procedure, 1908.
- (b) The Indian Evidence Act, 1872.
- (c) The Transfer of Property Act, 1882.
- (d) The Guardian and Wards Act, 1890.
- (e) The Hindu Adoptions and Maintenance Act, 1956.
- (f) The Hindu Marriage Act, 1955.
- (g) The Hindu Succession Act, 1956.
- (h) The Land Acquisition Act, 1894.
- (i) Indian Succession Act, 1925.
- (j) Chapter X, XI and XII of the Motor Vehicles Act, 1988.
- (k) The Himachal Pradesh Rent Control Act, 1987.
- (l) The Himachal Pradesh Tenancy and Land Reforms Act, 1972 (8 of 1974).
- (m) The Himachal Pradesh Land Revenue Act, 1953 (6 of 1954).
- (n) The Himachal Pradesh Village Common Lands (Vesting and Utilization) Act, 1974 (8 of 1974).

Part-II :

Criminal Law including Special Laws :

- (a) The Indian Penal Code, 1860 (45 of 1860).
- (b) The Criminal Procedure Code, 1973 (2 of 1974).
- (c) The Indian Evidence Act, 1872 (1 of 1872).
- (d) The Narcotic Drugs and Psychotropic Substances Act, 1986.
- (e) The Prevention of Corruption Act, 1988.
- (f) The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- (g) The Prevention of Food Adulteration Act, 1954.
- (h) The Indian Forest Act, 1927.

Part-III :

General Knowledge including English Composition :

The knowledge of candidates regarding History, Geography, Current affairs, Developments in the recent past, Science and Technology etc. etc. In so far as the English Composition is concerned, the candidates would be expected to know about their command over English language including the drafting writing articles, essays etc. etc.

Note.—(i) Bare copies of legislative enactments only will be supplied.

(ii) Each paper will last for three hours. Paper I and II will carry 200 marks each and paper III 100 marks.

5. Setting of Papers.—The Examiner shall set the paper to test the practical ability of the candidates rather than the range of their theoretical knowledge. For this purpose the papers may also include questions giving facts of a given case requiring the candidates to frame issues, to write a judgment and to discuss the admissibility of evidence.

6. Minimum Qualifying Marks.—(i) No candidate shall be considered to have qualified the written test unless he obtains a minimum of 60% marks in each individual paper and minimum aggregate of 66% marks in all papers put together.

(ii) The standard for the English composition shall be that of graduation examination of Himachal Pradesh University.

(iii) Out of the candidates who qualify written examination prescribed above, for each vacancy three candidates shall be called for *viva-voce* strictly in order of merit obtained in the written examination.

(iv) The marks obtained in *viva-voce* shall be added to the marks obtained in the written examination for drawing over-all merit of the candidates for preparing select list.

7. Result.—The result of the examination shall be declared immediately after completion of the *viva-voce* test.

By order,

Sd/-
Registrar (Rules).

